

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 6, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of Fire Protection
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. & Mrs. Melvin W. Eck, III
2209 Lodge Farm Road
Baltimore, Maryland 21219

RE: Item No. 114 - Case No. 84-176-A
Petitioner - Melvin W. Eck, III, et ux
Variance Petition

Dear Mr. & Mrs. Eck:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

December 21, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 114 -ZAC- Meeting of November 22, 1983
Property Owner: Melvin W. Eck, III, et ux
Location: Lodge Farm Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a side yard setback of 8' in lieu of the required 10'.

Acres: 15th
District:

Dear Mr. Jablon:

No plans was received for this site.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. I

MSE/ccm

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. RENCKE
CHIEF

November 29, 1983

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Melvin W. Eck, III, et ux

Location: Lodge Farm Road

Item No.: 114

Zoning Agenda: Meeting of November 22, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *Gregory J. Hays* Noted and Approved: *William Hammond*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: December 12, 1983

FROM: G.E. Burnham, Plans Review Chief C-2-B

SUBJECT: Zoning Advisory Committee...
November 22, 1983

Item #109 No Comment
Item #110 No Comment
Item #111 See Comments
Item #112 See Comments
Item #113 See Comments
Item #114 No Comments
Item #115 See Comments

CEB/vw

January 18, 1984

Mr. & Mrs. Melvin W. Eck, III
2209 Lodge Farm Road
Baltimore, Maryland 21219

IN RE: Petition Zoning Variance
SE/corner of Lodge Farm and South
Cove Roads (2209 Lodge Farm Road) -
15th Election District
Melvin W. Eck, III, et ux,
Petitioners
Case No. 84-176-A

Dear Mr. & Mrs. Eck:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/ar1

Attachments

cc: People's Counsel

IN RE: PETITION ZONING VARIANCE * BEFORE THE
SE/corner of Lodge Farm and * ZONING COMMISSIONER
South Cove Roads (2209 Lodge * OF BALTIMORE COUNTY
Farm Road) - 15th Election *
District * Case No. 84-176-A
Melvin W. Eck, III, et ux, *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of eight feet instead of the required ten feet. The purpose of their request is to construct a 15' x 29' addition to their home for use as a family room, as more fully described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the property is zoned D.R.5.5. The house is five years old and was built for the Petitioners. The Petitioners had an option, as did others in the neighborhood who also bought from the same contractor, to have a family room included. Due to financial considerations, the Petitioners were unable to include the family room at that time, although many neighbors did.

The Petitioners would now like to add the room to the southern side of the house. They have three children and need the added space. It would be most feasible to build the addition to the south side because the living room is on that side and the bedrooms are on the north side. They will remove the window in the living room and place a connecting door to the family room.

The Petitioners seek relief from Section 1802.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulations to the petitioner and his property would cause practical difficulty.

ORDER RECEIVED FOR FILING
DATE *January 18, 1984*
BY *Shirley Gay*

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.


Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the Regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on the Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of January, 1984, that the Petition for Variance to permit a side yard setback of eight feet instead of the required ten feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:


Zoning Commissioner of
Baltimore County

DATE January 14, 1984
BY Archie P. Long
ADMINISTRATIVE ASSISTANT

NEG/JGH/sf

[illegible]

Cost of Advertisement, \$ 15.75

District: 15 Date of Posting: 12/31/93
 Posted for: Religion for a Cause
 Petitioner: Michael R. Ed. III, et al.
 Location of property: SE 1/4 Judge Farm & S. Gore Rd.
 Location of Sign: front of property 1st 200 Judge Farm
 Remarks: _____
 Posted by: Barry B. Clever Date of return: 1/2/94
 Number of Signs: 1 1/4/94


Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 122925

DATE 1/4/83 ACCOUNT R-01-615-000

RECEIVED Ms. Eck AMOUNT \$35.00

FOR 1/4 fee for 1 hr = 1/4

1 cab.

C 642*****3506 to F08A

VALIDATION OR SIGNATURE OF CASHIER

ARNOLD JABLOON
g Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 124084

DATE 1-16-84 ACCOUNT 01-615-000

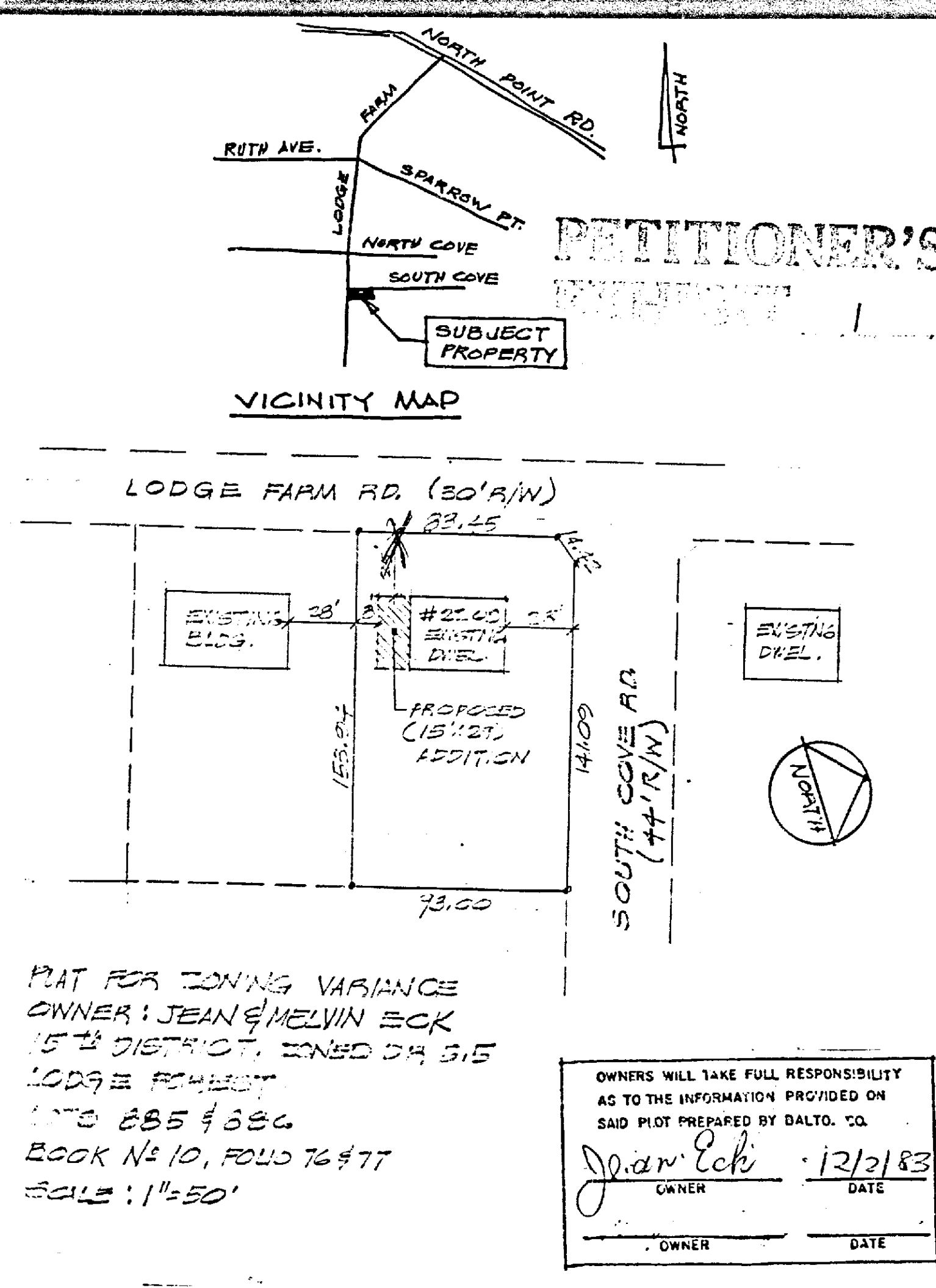
AMOUNT \$48.75

RECEIVED FROM Melvin Eck

FOR Meeting, Advertising 84-176-A

10241

C 031*****02510 61624



PETITION FOR VARIANCE
1504a Election District
Zoning: R-100
LOCATION: Southeast corner of
Lodge Farm and South Cove Road
2259 Lodge Farm Road
DATE & TIME: Monday, January 16
1984 at 10:15 A.M.
PUBLIC HEARING: Room 106
County Office Building, 1111 E. Oak
avenue, Madison, Maryland
The Zoning Commission of Balti-
more County, by authority of the
Planning and Zoning Commission,
County and City of Baltimore,
has received a public hearing
on the following Petition for Variance:
A side yard setback of 10' is in lieu of
the required 10' 0".
Being a property of Maden W.
Eck, Jr., of 2259 Lodge Farm Rd.
and with the Zoning Department.

In the event that the Petition is
granted, the proposed project may be
commenced within thirty (30) days
after the closing of the zoning Com-
mission, however, enforcement may
commence at any time of the issuance
of said project. The Petitioner for
good cause shown, such request must
be received in writing by this date of
hearing and shall be made at the
hearing.

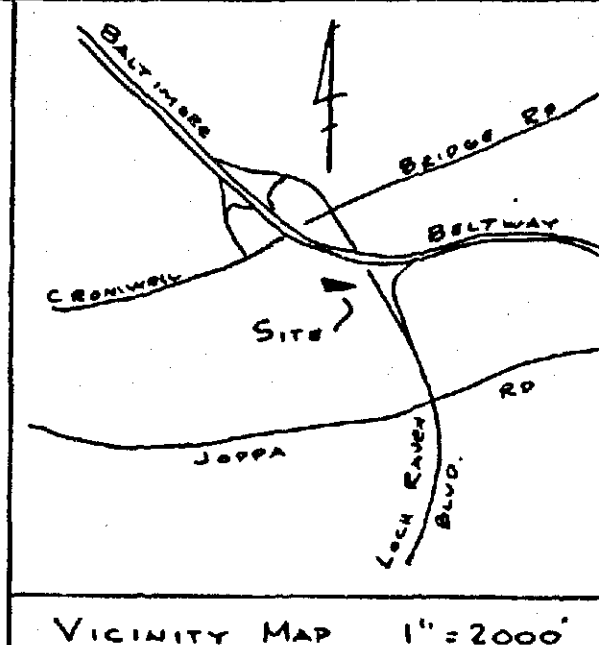
BY ORDER OF
ARNOLD HAMILTON
ZONING COMMISSIONER

OWNERS WILL TAKE FULL RESPONSIBILITY
AS TO THE INFORMATION PROVIDED ON
SAID PLOT PREPARED BY DALTO. CO.

John E. Eck 12/2/8
OWNER DATE

OWNER DATE

APPROX. LOCATION
EXISTING
"LUSKINS"
BUILDING
2 STY CONC. BLK.



GENERAL NOTES

1. Existing Zoning - BR
2. Existing use of property - Vacant
3. Proposed use of property - Utility Easement
4. No public water or sewer service will be required.
5. Existing use of adjoining property - Commercial
6. Minimum setback requirements:
25' Front yards
30' Side & rear yards
7. Area of parcel - 0.2614 Ac., 11,386 sq. ft.

Conc. blk. switch gear cell
building with:
5' x 7' x 4" thk. conc.
door step

Telco terminal as shown
finish floor elevation = 460'

117' high monopole antenna
with unistrut cable rack (not
in contract) top of founda-
tion elev. 460'

7' high chain link fence w/
3 strands of barbed wire and
4' gate (erect after instal-
lation of monopole)

7' HIGH CHAIN LINK
FENCE W/3 STRANDS OF
BARBED WIRE AND A
4' GATE ALONG WITH 2-10'
GATES FOR VEHICULAR ACCESS

EXISTING PAVED
AREA

INSTALL STANDARD TELEPHONE
POLE TO ACCOMMODATE
INSTALLATION OF EXISTING
LIGHT STAND

LIGHT STANDARD

CHAINLINK FENCE

WOODED

WOODED

AMPS PETITION FOR SPECIAL EXCEPTION

SITE BLT-G

9TH ELEC DIST BALTIMORE CO, MD

OWNER

21ST CENTURY PROPERTIES COMPANY
7540 WASHINGTON BLVD BALTIMORE, MD 21227

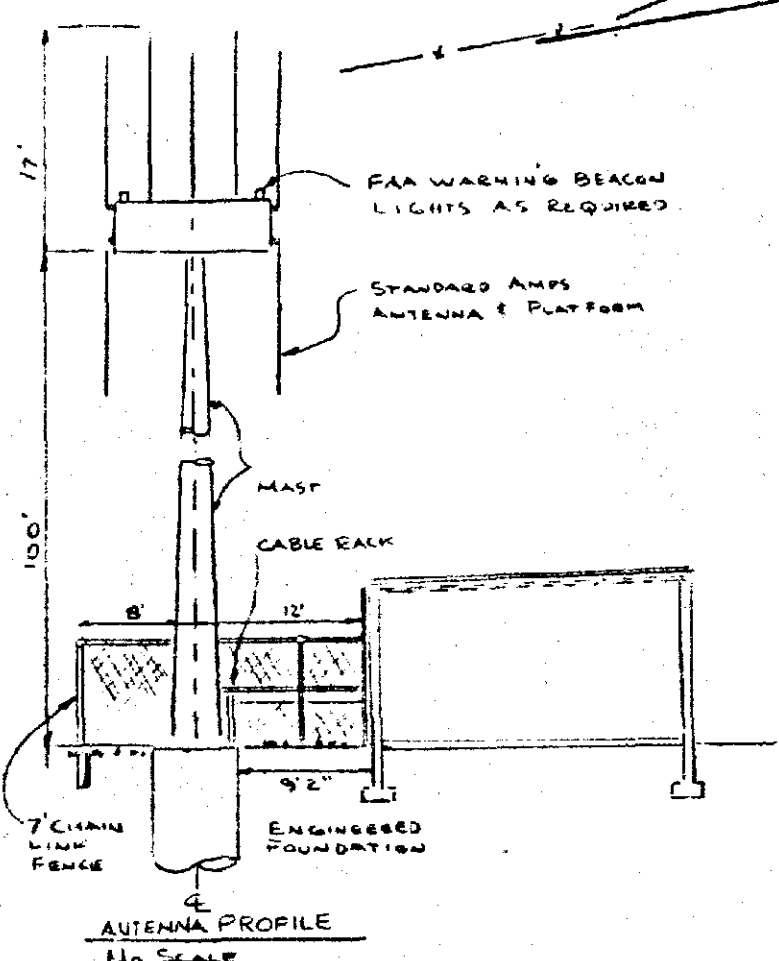
TAX MAP TO BIK II P/O PARCEL 867 TITLE REF.: 6256/689

DEVELOPER - ADVANCED MOBILE PHONE SERVICE, INC.
180 MT. AIRY RD BASKING RIDGE, N.J. 07920

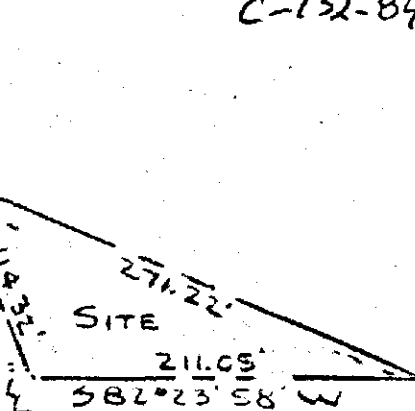
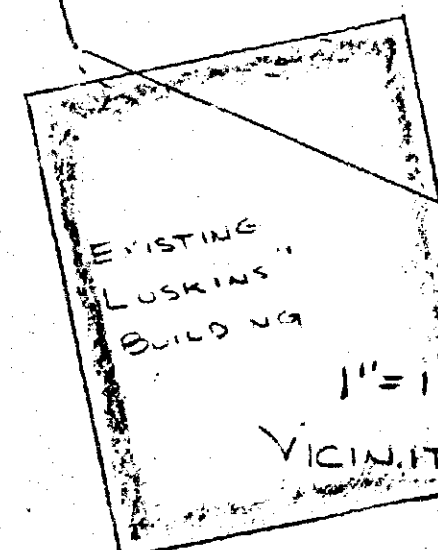
PLANS APPROVED OFFICE OF PLANNING & ZONING

BY: [Signature]
DATE: 2/17/84
BY: [Signature]
DATE: 2/17/84
ZONING COMMISSIONER

84-17-A
C-132-84



860'± TO
GLENEAGLES CT.
BRIDGE RD
CROMWELL



DATE: SEP 27, 1983
SCALE: 1"=20'

WELLER & ASSOCIATES
INCORPORATED

101 NORTH CENTER STREET
WESTMINSTER, MARYLAND
876-6303 876-5303

COMPS BY: B. BELL DRAWN BY: B. BELL

CHECKED BY: W. WELLER DWG NO. 683-508K

EHH-00039-11